

may have violated federal criminal law, including but not limited to 18 U.S.C. §§ 1621 and 1001, in connection with” his Senate testimony.³ “To the extent necessary to resolve the allegations that Secretary Babbitt made false statements concerning this decision by the Department of the Interior,”⁴ the Court also authorized the Independent Counsel “to investigate the decision itself to determine whether any violation of federal criminal law occurred in connection with the Department of Interior’s consideration of the application.”⁵

B. Structure of the Investigation

To investigate Secretary Babbitt’s testimony and the underlying Interior decision, lawyers employed by the Office of Independent Counsel (OIC) were divided into three teams, each of which focused on a different group of witnesses. The Department of the Interior Team focused on how the Department reached its decision on the Hudson casino application, as well as the law, policy and history of similar Indian gaming decisions. The team was led by Senior Associate Independent Counsel Mary K. Butler – an Assistant U.S. Attorney on detail from the Southern District of Florida – and included Associate Independent Counsels David B. Deitch and Andrew L. Wexton. The Wisconsin Team focused on the conduct of the Wisconsin and Minnesota Indian tribes – including both applicants and opponents – with respect to the Hudson application, and the state and local reaction to the proposal. That team was led by Senior Associate Independent Counsel Shanlon Wu – an Assistant U.S. Attorney on detail from the District of

³Order Appointing Independent Counsel, In re Bruce Edward Babbitt (March 19, 1998), at 1-2.

⁴*Id.* at 2.

⁵*Id.*